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C O N F I D E N T I A L SECTION 01 OF 02 SINGAPORE 002118

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E.O. 12958: DECL: 06/29/2016
TAGS: [PHUM](#) [PGOV](#) [SN](#)
SUBJECT: CHEES' ATTORNEY LIKELY TO BE SUSPENDED

REF: A. SINGAPORE 1983

[1](#)B. SINGAPORE 1912

Classified By: CDA Laurent Charbonnet. Reasons 1.4(b,d)

[1](#)1. (C) Summary: Lawyers for Prime Minister Lee Hsien Loong and Minister Mentor Lee Kuan Yew have filed a motion for summary judgment in their defamation suit against Dr. Chee Soon Juan and his sister Chee Siok Chin (Ref A, B). The Chees' attorney, M. Ravi, also faces suspension for up to five years on a disciplinary charge that will be heard by the Court of Three Judges. On June 26, we met with Chee Siok Chin and Ravi, who told us Ravi expects to be suspended from practicing law for at least two years, and that this suspension will take place within the next three to six months. His suspension effectively may deprive the Chees of legal representation, as the GOS is unlikely to allow foreign counsel to represent them and no other Singapore attorney is thought willing to take their case. End Summary.

MOTION FOR SUMMARY JUDGMENT

[1](#)2. (C) The Lees' attorneys had hinted to the media some weeks ago they might file a motion for summary judgment; on June 26, they did so. A court (in Singapore or the United States) grants a motion for summary judgment when there are no disputed facts in the case, the other party has admitted to certain facts or there are previous judgments relevant to the case. If the court grants the Lees' motion, they win their lawsuit without having a trial; they also deny the Chees the opportunity to cross examine them or challenge their interpretation of the allegedly defamatory language (Ref B). On June 22, the Chees applied to the High Court to prevent the Lees from obtaining a summary judgment. The Chees also are challenging the 1991 change in court rules that permits summary judgment to be obtained in defamation cases. Ravi told us that Singapore is the only commonwealth jurisdiction to allow this. The High Court will hear both the application for summary judgment and the Chee's challenge to court rules on August 3.

PENDING SUSPENSION

[1](#)3. (C) Ravi appeared before the Disciplinary Committee of the Law Society on June 20 to respond to a complaint a judge lodged against him regarding his behavior in a 2003 case. Ravi claims that, during the 2003 court proceeding, the judge indicated he should approach the bench by pointing her finger at him in a demeaning and unprofessional way; his subsequent statement that he could report the judge to the Law Ministry formed the basis of her complaint against him. Because Ravi apologized to the judge in writing, and the judge accepted this apology, the Law Society amended its charge against him, essentially reducing the charge from one of threatening a judge to one of disorderly conduct. The Disciplinary

Committee rejected this amendment, fined Ravi SG\$2,000 (US\$1,250), and referred the original complaint against him to the Court of Three Judges, which has the authority to suspend Ravi from practicing law.

COMMENT

14. (C) This latest defamation case offers additional proof that Singapore's judiciary is not independent in political cases. The High Court will likely grant the Lees' motion for summary judgment -- a legal stretch because the very meaning of the allegedly defamatory words is disputed and the Chees have not apologized to the Lees. If the High Court does so, Chee Siok Chin probably will be bankrupted as has her brother, Dr. Chee Soon Juan. Dr. Chee already is effectively prohibited from traveling outside Singapore; the GOS holds his passport and he must seek its permission to travel until he is able to pay his debts stemming from prior legal cases. If the same fate befalls Chee Siok Chin, both Chees will be cut off from most direct contact with the international community and, as bankrupts, be prevented from participating in domestic politics.

15. (C) (Comment, cont.) Dr. Chee often seems his own worst enemy, quixotically undertaking actions he knows will infuriate the government. That said, the allegedly "defamatory" statements he is accused of making were exceedingly mild and would hardly have attracted notice -- much less legal action -- in any other "first world" jurisdiction. The Lee family and the People's Action Party seem close to achieving a sorry victory: the silencing of political opponents without a trial and destroying the career of the one lawyer brave, or foolish, enough to try to fight on their behalf. The real challenge to the GOS,

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unfortunately, will come not from oppositionists like the Chees but from the inherent contradiction between its stated goal of building a dynamic, creative, global city and the distortions of its legal system required to enforce some of Asia's tightest restrictions on political speech and social action.

CHARBONNET